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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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IN REPLY REFER TO:
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Dennis DeConcini
United States Senator
2730 East Broadway, Suite 160
Tucson, Arizona 85716-5340

Dear Senator DeConcini:

This is in reply to your letter of February 9, 1993, in which you inquired on behalf of your constituent, Donald F. Mulligan, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Mulligan is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

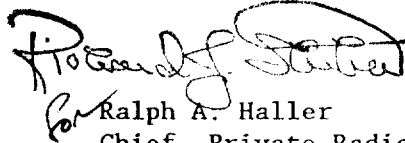
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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller". The signature is stylized with a large, looping initial "R".

Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Order
Discussion paper

cc:
Chief, PRBureau
Chief, LM&M Divison
Docket Files, Room 222
P&P Branch File (Pink)

CNTL NO - 9300646

DFertig/RShiben:/mb/lm:PR

Congressional

DUE OBC 2-25-93

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LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300646	02/17/93	02/09/93	03/02/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Dennis DeConcini	BC

CONSTITUENT'S NAME	SUBJECT
Donald F Mulligan	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/LMM			
2-18-93			

DATE	DATE	DATE	DATE
02/17/93			

REMARKS: Respond to the Tucson, AZ office.

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United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

PRB
92-235
646

February 9, 1993

Ms. Lorrie Secrest
Director for Public Affairs
Federal Communications Commission
1919 M Street
Washington, D.C. 20554

Dear Ms. Secrest:

Enclosed is a copy of the privacy release letter Senator Dennis DeConcini received from Mr. Donald F. Mulligan requesting that we inquire on his behalf regarding the recent FCC proposal of P.R. Docket 92-235.

After you have had the opportunity to review the matter, I would appreciate your making any suggestions and/or recommendations on how we may assist Mr. Mulligan with his concern.

Thank you.

Sincerely,



IGNACIO J. BARRAZA
Assistant to the Senator
Office of Dennis DeConcini
United States Senate
2730 East Broadway, Suite 160
Tucson, Arizona 85716-5340
602/670-6831

Enclosure
IB/D

Case

IB
Misc/FCC
Misc-J

The Honorable Dennis DeConcini
2424 E. Broadway, Suite 104
Tucson, AZ 85719-6011

February 2, 1993

Dear Senator DeConcini;

I urge you to consider the impact of pending FCC "Notice of Proposed Rule Making" (NPRM), Docket Nr 92-235, on a large sector of the public. FCC proposes adding frequency assignments which jeopardize the safety of a wholesome hobby, supported by a multi-million dollar US industry. FCC has recognized the strength of this hobby, radio controlled model flying, by dedicating 50 frequencies to the purpose. Long ago, such control was allowed on a shared basis in the 27 MHz Citizens Band. Subsequently, the number of citizens using radio for model control justified FCC's allocation of dedicated "channels" in the 72-76 MHz band. That allowed even greater growth in this area. These frequencies interleave, safely separated, with Land Mobile Service frequencies. The NPRM seriously impacts current frequency separations.

This creates a serious safety problem. The current separation of plus/minus 5 KHz, including guard band, crowds or exceeds the ability of practical model control and other user equipment. Model control equipment has been refined to the point that larger, heavier, faster models have become possible, if not universal. Interference to the control signals to even smaller radio controlled models destroys the flier's ability to operate them safely. Model fliers are very safety conscious; such interference is a chilling prospect.

The Academy of Model Aeronautics (AMA), the national organization for model fliers has helped develop safety awareness and specific programs for frequency control, including awareness of/allowance for nearby high power fixed location users in the same band. New frequencies, allowed up to four times as much power, very few (2 1/2!) KHz away, in mobile units whose location cannot be predicted would be a serious problem. Even modelers who are most attentive to safe practice would suffer loss of control through interference caused by someone, eg., in the field's spectator area, or passing on a nearby road.

The proposed new frequencies are separated from each other by twice the KHz as they are from the much less powerful model control assigned frequencies. Isn't it likely that manufacturers of these devices will design to not override other such devices - while model control frequencies between their "channels" are overlooked.

There are over 150,000 dues-paid members in AMA, alone, almost all of whom use several Rx/Tx systems regularly. Some estimate two to three times as many additional citizens are active in this hobby. It is likely that there are over a million such model control systems in regular use.

Please help me continue the safe enjoyment of a hobby that has enriched my life for over 35 years by opposing FCC NPRM Docket 92-235 in its present form.


Donald F. Mulligan
931 Cactus Wren Lane
Sierra Vista, AZ 85635